

SEVENTY-FOURTH DAY
(Monday, May 14, 1973)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Clower.

Father John Campbell, St. Austin's Catholic Church, Austin, Texas, offered the invocation as follows:

Bow down your heads and pray for God's blessing.

May God bless this Senate with a vision of thankfulness for all that is goodness in the gift of your life and work.

May he bless you as singular individual persons who bow your heads in many different ways.

May he bless you who bow heads heavy with heartache as much as with joyful prayer.

May he bless you who are now as concerned as much about your wife or child or conscience as for the day's agenda.

May he bless you who bow heads dominated by depression and fear as much as those at peace.

May he bless you with the awareness that nothing can separate you from his love that he goes with you today as well as the pressures of power and election and constituencies, your own personal problems, greatness and limited vision. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 11, 1973, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Clower was granted leave of absence for today on account of important business on motion of Senator Mauzy.

REPORTS OF STANDING COMMITTEE

Senator Creighton submitted the following reports for the Committee on Economic Development:

H.B. 1487 (Amended)

H.B. 255

H.B. 1182

SENATE BILL ON FIRST READING

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S.B. 977, A bill to be entitled An Act relating to the authority of the board of regents of The University of Texas System concerning union buildings;

amending Subsections (c) and (d), Section 67.21, Texas Education Code; and declaring an emergency.

To Committee on State Affairs.

SENATE RESOLUTION 758

Senator Wolff offered the following resolution:

WHEREAS, The Constitutional Revision Commission has now been operative since March 10, 1973, and has held hearings in seven cities; and

WHEREAS, The Senate desires to receive a report on the status of the work of this important commission; now, therefore, be it

RESOLVED, By the Senate of the 63rd Legislature that Judge Robert Calvert, Chairman, and Mrs. Beryl Milburn, Vice Chairman, of the Constitutional Revision Commission, be and they are hereby invited to make a brief report to the Senate concerning the status and progress of the Constitutional Revision Commission.

The resolution was read and was adopted.

The President requested Senator Wolff to escort Mrs. Milburn and Judge Calvert to the President's Rostrum.

Mrs. Milburn reported to the Senate on the hearings held throughout the State by Members of the Constitutional Revision Commission.

The President then introduced Judge Calvert, who addressed the Senate concerning public involvement in the work of the Commission. Judge Calvert stated that all records of the Commission are open for public inspection.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S.J.R. 13
S.B. 122
S.B. 216
S.B. 384

SENATE CONCURRENT RESOLUTION 108 ON SECOND READING

The President laid before the Senate the following resolution:

S.C.R. 108, Designating Joe Rader Roberts as Texas State Artist for the year May 1, 1974, through April 30, 1975.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 14, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following on a Local and Consent Calendar:

S.C.R. 20, Creating a special interim committee on State and Local Public Employees.

S.C.R. 34, Requesting the Legislative Budget Board to study revenue dedication and priority allocation practices.

S.C.R. 52, Memorializing Congress to withhold all funds for rebuilding and restoration in Southeast Asia, et al.

S.C.R. 100, Congratulating the City of El Paso on its Centennial Anniversary.

S.C.R. 106, Recalling H.B. 215 from the Governor.

S.B. 50, A bill to be entitled An Act creating a Court of Domestic Relations No. 4, of Dallas County, Texas; etc.; and declaring an emergency.

S.B. 106, A bill to be entitled An Act relating to the role and scope of Texas A and I University at Laredo; amending Sections 104.41 and 104.43, Texas Education Code; and declaring an emergency.

S.B. 124, A bill to be entitled An Act to create a Federal Revenue Sharing Trust Fund to receive cash authorized under the Federal State and Local Fiscal Assistance Act of 1972; etc.; and declaring an emergency.

S.B. 151, A bill to be entitled An Act relating to the creation of the Court of Domestic Relations of Fort Bend County; and declaring an emergency.

S.B. 159, A bill to be entitled An Act relating to the creation, jurisdiction, administration, and procedures of two courts to be known as the County Court at Law No. 4 of Bexar County, Texas, and the County Court at Law No. 5 of Bexar County, Texas; and declaring an emergency. (With Amendments)

S.B. 173, A bill to be entitled An Act relating to the hunting or taking of certain privately owned game birds; and declaring an emergency.

S.B. 261, A bill to be entitled An Act amending Acts 1954, 53rd Legislature, First Called Session, Chapter 35, being the Act creating Greenbelt Municipal and Industrial Water Authority by deleting the City of Memphis from the Authority and including within the boundaries of the Authority all territory annexed to the Cities of Childress, Clarendon, Crowell, Hedley and Quanah since their initial inclusion within the Authority; etc.; and declaring an emergency. (With Amendment)

S.B. 268, A bill to be entitled An Act relating to the protection of sand dunes on barrier islands and peninsulas bordering on the Gulf of Mexico; authorizing the establishment of dune protection line by commissioners courts; providing a penalty for violation; and declaring an emergency. (With Amendment)

S.B. 295, A bill to be entitled An Act relating to compensation to certain counties in which either the county attorney or criminal district attorney performs the duties of a district attorney in addition to the duties of a county attorney or criminal district attorney; and declaring an emergency. (With Amendments)

S.B. 327, A bill to be entitled An Act relating to the function, powers

and duties of the Texas Coastal and Marine Council; amending Sections 1 and 3, Chapter 279, Acts of the 62nd Legislature, Regular Session, 1971; and declaring an emergency. (With Amendments)

S.B. 344, A bill to be entitled An Act authorizing entities, either public or private, which are engaged in the generation, transmission, or distribution of electric energy for sale to the public, to cooperate and join in the planning, financing, acquisition, construction, ownership, operation and maintenance of power plants, transmission lines, and other electric facilities; etc.: containing a severability clause; and declaring an emergency.

S.B. 352, A bill to be entitled An Act amending the Texas Education Code relating to the Teacher Retirement System of Texas; etc.: declaring the Act to be severable; and declaring an emergency. (With Amendments)

S.B. 407, A bill to be entitled An Act amending Section 5, Article 1995, Revised Civil Statutes of Texas, 1925, as amended, relating to venue so as to provide that actions founded upon an obligation of the defendant for goods, services, loans, and extensions of credit intended primarily for personal, family, or household use must be brought in either the county in which the defendant signs the contract, or in the county in which the defendant resides at the commencement of the action; and declaring an emergency. (With Amendment)

S.B. 466, A bill to be entitled An Act relating to terms of office of directors of certain water supply corporations and sewer service corporations; amending Section 3, Chapter 76, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 1434a, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 480, A bill to be entitled An Act to amend Article 3.39, Part I, C. paragraph 3, Texas Insurance Code, 1951, as amended, to permit investment of capital, surplus and contingency funds over and above the greater of either (a) ten per cent of admitted assets as determined from the latest annual statement on file with the State Board of Insurance or (b) the minimum capital and surplus requirements for incorporating a life insurance company under Chapter 3, Texas Insurance Code, as amended, in the capital stock, bonds, and other obligations of any one or more solvent corporations.

S.B. 502, A bill to be entitled An Act relating to authorizing the Parks and Wildlife Commission to transfer certain property from one division of the department to another; providing for the repayment of dedicated funds in certain circumstances and declaring an emergency.

S.B. 519, A bill to be entitled An Act relating to the administration and operation of programs and institutions for dependent and neglected children by the Harris County Child Welfare Board; adding Subchapter E to Chapter 288, Acts of the 59th Legislature, Regular Session, 1965 (Article 5139VV, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 520, A bill to be entitled An Act to amend the Harris County Road Law; etc; and declaring an emergency.

S.B. 526, A bill to be entitled An Act amending Senate Bill 1, 3rd Called Session, 62nd Legislature, 1972, by transferring \$14,000 from Item 9, "Consumable supplies and materials, current and recurring operating expenses (excluding travel expense) and necessary expenses for computer" to Item 5, "Salaries of classified positions" in the appropriations for the Industrial Accident Board; and declaring an emergency.

S.B. 530, A bill to be entitled An Act relating to the taking of oysters from a polluted area and to the returning of undersized oysters; amending Section 8, Chapter 471, Acts of the 62nd Legislature, Regular Session, 1971 (Article 962a, Vernon's Texas Penal Code), and adding a new Section 6A; and declaring an emergency.

S.B. 531, A bill to be entitled An Act authorizing the Parks and Wildlife Department to issue licenses for shellfish culture; etc.; and declaring an emergency.

S.B. 551, A bill to be entitled An Act amending Sections 239, 373, 329, and 341 of the Texas Probate Code, as amended, relating to partial distribution of the corpus or income of an estate, borrowing money by guarding of estates, and the sale of real property of an estate; and declaring an emergency.

S.B. 625, A bill to be entitled An Act creating the County Court at Law of Victoria County; etc; and declaring an emergency.

S.B. 634, A bill to be entitled An Act relating to enforcement of a demand on an independent executor for an accounting by an interested person; amending Subsection (b), Section 149A, Texas Probate Code; and declaring an emergency.

S.B. 644, A bill to be entitled An Act relating to the management of state-owned coastal lands; amending Chapter 377, Acts of the 57th Legislature, Regular Session, 1961 (Article 5415e, Vernon's Texas Civil Statutes); providing a penalty for violations of this Act; repealing all conflicting laws; and declaring an emergency.

S.B. 649, A bill to be entitled An Act relating to The University of Texas Marine Science Institute at Port Aransas; amending Sections 67.71 and 67.62, Texas Education Code; repealing all laws in conflict; and declaring an emergency.

S.B. 649, A bill to be entitled An Act relating to The University of Texas Marine Science Institute at Port Aransas; amending Sections 67.61 and 67.62, Texas Education Code; repealing all laws in conflict; and declaring an emergency.

S.B. 650, A bill to be entitled An Act amending Chapter 327, 62nd Legislature, Acts 1971 (compiled as Art. 1269j-4.4) relating to cities and towns owning Sea Life Park, Oceanarium and other public facilities operated in conjunction therewith; etc.; and declaring an emergency.

S.B. 658, A bill to be entitled An Act appropriating money to Texas State Technical Institute for repair of damage to buildings caused by wind and hail; and declaring an emergency.

S.B. 660, A bill to be entitled An Act amending Section 389A of the Texas Probate Code clarifying the authority of corporate guardians to sell or dispose of certain investments; and declaring an emergency.

S.B. 661, A bill to be entitled An Act amending Section 12 of the Texas Trust Act; etc; and declaring an emergency.

S.B. 673, A bill to be entitled An Act relating to removing justices of the peace from the exemption with respect to compensation, expenses and allowances of county and precinct officials, amending Subsection (4), Section 7, Chapter 622, Acts of the 62nd Legislature, Regular Session, 1971 (Article 3912k, Vernon's Texas Civil Statutes).

S.B. 678, A bill to be entitled An Act relating to the authority of East Texas State University to sell or lease land; amending Subchapter C, Chapter 100, Texas Education Code, by adding Section 100.36; and declaring an emergency.

S.B. 685, A bill to be entitled An Act relating to assessments for water and sewer services; amending Subdivision (A) of Section 2, and Section 19, Chapter 192, Acts of the 58th Legislature, Regular Session, 1963, as amended (Article 1110c, Vernon's Texas Civil Statutes); and declaring an emergency. (With Amendment)

S.B. 749, A bill to be entitled An Act relating to extraterritorial jurisdiction and annexation powers of cities; amending Section 7, Article I, Municipal Annexation Act (Article 970a, Vernon's Texas Civil Statutes); and declaring an emergency. (With Amendments)

S.B. 786, A bill to be entitled An Act relating to a program for the prevention from, preparation for, response to, and relief or recovery from disasters; repealing the Texas Civil Protection Act of 1951 (Article 6889-4, Vernon's Texas Civil Statutes); and declaring an emergency. (With Amendment)

S.B. 788, A bill to be entitled An Act exempting blind or deaf individuals from the payment of tuition and related fees at state-supported institutions of higher education; amending Section 54.205, Subchapter D, Chapter 54, Texas Education Code; and declaring an emergency.

S.B. 832, A bill to be entitled An Act making an appropriation for the position of Executive Director of the Industrial Accident Board for the remainder of the fiscal year ending August 31, 1973; and declaring an emergency. (With Amendment)

S.B. 847, A bill to be entitled An Act amending parts of Chapter 11, Chapter 21 and Chapter 25, Water Code, relating to functions of the Texas Water Development Board, functions of the Texas Water Quality Board, Texas Water Development Bonds, funding provisions, financial assistance to political subdivisions for water development projects, financial assistance to political subdivisions for water quality enhancement purposes, notice of hearings and continuances under the Texas Water Quality Act, appeal of actions of the Texas Water Quality Board, conditions, amendments, revocation and suspension of permits under the Texas Water Quality Act; etc; and declaring an emergency.

S.B. 848, A bill to be entitled An Act abolishing the office of county school superintendent in Runnels County; and declaring an emergency.

S.B. 856, A bill to be entitled An Act relating to the compensation paid from county funds to the District Judges of the 58th, 60th, 136th, 172nd Judicial Districts and Criminal District Court of Jefferson County for services rendered to the county; amending Section 1, Chapter 212 of the 59th Legislature, 1965, (Article 6818a-39, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 872, A bill to be entitled An Act relating to the authority of public employees to enter into a deferred compensation plan and authorizing the purchase of insurance and annuity contracts; and declaring an emergency. (With Amendment)

S.B. 884, A bill to be entitled An Act relating to the terms of court of the 25th Judicial District; amending Subdivision 25, Article 199, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

S.B. 887, A bill to be entitled An Act creating the Rio Grande State Center for Mental Health and Mental Retardation Independent School District; providing for its territorial limits; providing for trustees; providing for taking census and certifying scholastics; and declaring an emergency.

S.B. 888, A bill to be entitled An Act creating the Brenham State School Independent School District; providing for its territorial limits; providing for trustees; providing for taking census and certifying scholastics; and declaring an emergency.

S.B. 922, A bill to be entitled An Act relating to the creation of the Court of Domestic Relations of Wharton County; and declaring an emergency.

S.B. 935, A bill to be entitled An Act relating to the creation, establishment, administration, maintenance, operation, and financing of the DeLeon Hospital District of Comanche County, Texas, under Article IX, Section 9, of the Texas Constitution; repealing Chapter 9, Acts of the 56th Legislature, 1st Called Session, 1959 as amended; and declaring an emergency.

S.B. 961, A bill to be entitled An Act relating to the creation, establishment, administration, maintenance, operation, and financing of the Comanche County Hospital District of Comanche County, Texas under Article IX, Section 9, of the Texas Constitution; and declaring an emergency.

H.B. 83, A bill to be entitled An Act relating to the tuition fee charged to students enrolled at state-supported institutions of higher education who have earned a degree or degrees on the basis of completion of four or more years of college study; exempting certain students at state supported institutions of higher education from the payment of building, union, and service fees; amending Section 54.051 of the Texas Education Code; repealing all laws in conflict; and declaring an emergency.

H.B. 90, A bill to be entitled An Act relating to providing for the issuance of distinctive license plates for the private vehicles owned and operated by certain volunteer or regularly employed firemen while answering fire alarms; amending Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-1, et seq., Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 107, A bill to be entitled An Act relating to the purchase and operation of school buses; amending Subchapter F, Chapter 21, Texas Education Code; repealing conflicting laws; and declaring an emergency.

H.B. 133, A bill to be entitled An Act relating to the regulation of the home production of wine under the Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code), under certain circumstances; amending Subsection (a-1), Section 4, Article I, Texas Liquor Control Act, as amended (Article 666-4, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 138, A bill to be entitled An Act relating to the creation of the County Court at Law of Brazoria County; and declaring an emergency.

H.B. 155, A bill to be entitled An Act relating to a required unit of study in consumer education in the public schools; amending Subchapter D, Chapter 21, Texas Education Code, by adding Section 21.119; and declaring an emergency.

H.B. 259, A bill to be entitled An Act relating to the acquisition, ownership, operation, and financing of certain facilities of, and the performance

of certain services and functions by the North Texas Municipal Water District and providing for certain powers and duties of the district and political subdivisions with relation to these facilities, services, and functions; amending Chapter 62, Acts of the 52nd Legislature, 1951, as amended (Article 8280-141, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 295, A bill to be entitled An Act relating to all Juvenile Courts existing in the County of Dallas, and any such courts to be created in the future; conferring upon said courts the general constitutional jurisdiction heretofore conferred upon constitutional District Courts as per the Constitution and laws of the State of Texas; said courts retaining a preference for the cases now heard in said courts; providing for severability; and declaring an emergency.

H.B. 296, A bill to be entitled An Act relating to all Domestic Relations Courts existing in the County of Dallas, and any such courts to be created in the future; conferring upon said courts the general constitutional jurisdiction heretofore conferred upon constitutional district courts as per the Constitution and laws of the State of Texas; said courts retaining a preference for the cases now heard in said courts; providing for severability; and declaring an emergency.

H.B. 377, A bill to be entitled An Act relating to the definition of "permanent and total disability" as used in determining eligibility for assistance grants; amending Subsection (2), Section 16-B, Chapter 1, General Laws, page 544, Acts of the 46th Legislature, Regular Session, 1939, as amended (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 385, A bill to be entitled An Act relating to the application of the wrongful death statutes to injuries occurring outside of the state; amending Articles 4671 and 4678, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

H.B. 405, A bill to be entitled An Act relating to the utilization of Regional Education Media Centers by state schools for the mentally retarded; amending Section 11.32, Texas Education Code, by adding Subsection (n); and declaring an emergency.

H.B. 476, A bill to be entitled An Act relating to terms of court for the 31st Judicial District; amending Subdivision 31, Article 199, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

H.B. 602, A bill to be entitled An Act creating Harris County Youth Village Independent School District to provide an educational program for eligible children; providing its territorial limits; providing for trustees; providing for certification of the census of children and apportionment of state and county available school funds, providing eligibility for Foundation School Program assistance and the use of county funds; providing authority to accept gifts and grants; and declaring an emergency.

H.B. 618, A bill to be entitled An Act relating to regulation of the business of propagating game birds for sale or holding game birds in captivity for sale; providing penalties; amending Chapter 119, Acts of the 55th Legislature, Regular Session, 1957 (Article 978k-1, Vernon's Texas Penal Code); amending Sections 1 through 7, 9, 10, 11, 12, and 15, and repealing Sections 8, 11a, and 13, Chapter 96, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 978k, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 694, A bill to be entitled An Act relating to the pooling of

state-owned aircraft; and declaring an emergency.

H.B. 700, A bill to be entitled An Act relating to the establishment of a community senior citizens employment program under the Governor's Committee on Aging; amending Chapter 320, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 695k, Vernon's Texas Civil Statutes), by adding a Section 5a; and declaring an emergency.

H.B. 729, A bill to be entitled An Act relating to the requirements for the establishment of certain junior college districts; amending Sections 130.011 and 130.032, Texas Education Code; and declaring an emergency.

H.B. 780, A bill to be entitled An Act relating to the construction, maintenance, repair, and removal of dams; amending Chapter 6, Water Code, by adding Section 6.0731; providing a penalty; and declaring an emergency.

H.B. 782, A bill to be entitled An Act relating to the licensing and regulating of electrolysis and electrologists; providing penalties; and declaring an emergency.

H.B. 802, A bill to be entitled An Act relating to authorizing the Parks and Wildlife Commission to make regulations prohibiting the use of firearms in certain areas adjacent to state parks located on the gulf coast; providing a penalty; and declaring an emergency.

H.B. 803, A bill to be entitled An Act authorizing the Parks and Wildlife Commission to set the length of the open season for taking wildlife in state parks; amending Section 2, Chapter 465, Acts of the 62nd Legislature, Regular Session, 1971 (Article 978f-5d, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 806, A bill to be entitled An Act relating to creation of the County Court at Law of Hays County and conforming the jurisdiction and procedures of the County Court of Hays County; and declaring an emergency.

H.B. 832, A bill to be entitled An Act relating to the jurisdiction and terms of the 27th, 146th, and 169th District Courts and the jurisdiction of the County Court and County Court at Law of Bell County; amending Subsection (b), Section 1, Chapter 208, Acts of the 60th Legislature, 1967 (Article 1970-350, Vernon's Texas Civil Statutes); amending Subdivision 27, Article 199, Revised Civil Statutes of Texas, 1925, as amended; amending Section 3, Chapter 490, Acts of the 56th Legislature, Regular Session, 1959 (Subdivision 146, Article 199, Vernon's Texas Civil Statutes); amending Section 3.003, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes), by adding Subsection (b); and declaring an emergency.

H.B. 845, A bill to be entitled An Act relating to the establishment of community multipurpose human resource centers by the Texas Department of Community Affairs; amending Chapter 879, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(201), Vernon's Texas Civil Statutes), by adding Section 13a; and declaring an emergency.

H.B. 857, A bill to be entitled An Act relating to the payment of the costs of medical examinations of rape victims; and declaring an emergency.

H.B. 891, A bill to be entitled An Act relating to sales and offers for sale of assistance in the preparation or research for assignments intended for submission to an educational institution; providing penalties; and declaring an emergency.

H.B. 935, A bill to be entitled An Act relating to creation, powers, and duties of underground water conservation districts; amending Sections 52.021, 52.022, 52.024, 52.025, 52.051, 52.101, 52.105, 52.116, 52.117, 52.118, Subsection (a) of Section 52.023, and Subsection (a) of Section 52.108, Water Code; adding Subdivisions (9), (10), and (11) to Section 52.001; and adding Section 52.027; and declaring an emergency.

H.B. 967, A bill to be entitled An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article XVI, Section 59, Constitution of Texas, to be known as "Baytown Area Water Authority"; declaring the Authority a governmental agency, body politic and corporate; defining the boundaries and finding that the boundaries of the Authority form a closure; finding that all property to be served by the Authority will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the Authority; providing for the power to contract and making provision for such contracts; providing for the acquisition of water rights; providing that no confirmation election is necessary; providing for a hearing on exclusions; providing for addition or annexation of land; providing that the Authority shall not have the right, power or authority to impose, levy, assess or collect taxes; providing that enactment shall not prevent the organization of conservation and reclamation districts within the boundaries of the Authority or the changing of the boundaries of such districts, but that such districts created in the future must contract with the Authority; providing for the appointment, powers and qualification of a Board of Directors, the election of officers, the employment and powers of a General Manager, and other related matters; providing for contracting with City of Baytown pursuant to the Interlocal Cooperation Act; providing for the power to reimburse the City of Baytown for costs of creating and establishing the Authority; borrow money, issue bonds, invest surplus funds and related matters; providing for the power to construct, lay and maintain canals and certain other facilities for transportation and distribution of water together with other incidental facilities; providing for the power of eminent domain and for the Authority's bearing the expense of relocation of certain properties and facilities; providing that the Authority not be required to give bond for costs in lawsuits; providing for the appointment of depositories and a system of accounts and an audit thereof; providing for offices of the Authority; providing that the bonds of the Authority are eligible investments and securities; finding that the requirements of Article XVI, Section 59(d) of the Constitution have been accomplished; finding that the Authority will be carrying out an essential public function; enacting other provisions related to the aforementioned matters; providing a severability clause; and declaring an emergency.

H.B. 980, A bill to be entitled An Act relating to the composition of the Texas Board of Athletic Trainers; amending Sections 2 and 3, Chapter 498, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4512d, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1022, A bill to be entitled An Act relating to the reinstatement of prior service credit under the Teacher Retirement System; amending Subsection (b), Section 3.25, Texas Education Code; and declaring an emergency.

H.B. 1048, A bill to be entitled An Act relating to Tyler State College; providing that certain general laws governing institutions of higher education are applicable to the college; providing that revenue bonds issued by the college may be secured by student tuition funds; providing that certain funds received by the college shall be deposited in local depositories; providing an emergency appropriation; amending Sections 51.001, 113.35, and 113.36, Texas Education Code; amending Subchapter A, Chapter 113, Texas Education Code, by adding Section 113.03; amending Subchapter C, Chapter 113, Texas Education Code, by adding Section 113.37; and declaring an emergency.

H.B. 1057, A bill to be entitled An Act creating Anna-Van Alstyne Water District as a conservation district, under Article 16, Section 59 of the Texas Constitution, comprising the territory contained in the City of Anna, Collin County, Texas, and the City of Van Alstyne, Grayson County, Texas, as the boundaries of said cities existed on the 1st day of January, 1973, for the purpose of providing a source of water supply for municipal, domestic, commercial, and industrial use, and diverting, impounding, storing, treating, and transporting the same, and acquiring, constructing, and operating water facilities; providing for a board of directors for the government of said district; providing the means of annexing additional territory to said district; authorizing the district to obtain permits from the Texas Water Rights Commission and from owners of permits; requiring supervision of the Texas Water Rights Commission; authorizing the district to acquire any interest in land for its purposes by condemnation; providing that any construction contract in excess of \$5,000 should be made only after publication of notice; authorizing the district to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable either from ad valorem taxes or revenues, or a combination of ad valorem taxes and revenues; authorizing the issuance of refunding bonds; authorizing the execution of trust indentures or deeds of trust to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable wholly or partly from ad valorem taxes; authorizing the district to enter into contracts with public agencies, political subdivisions, and others, including specifically the Cities of Anna and Van Alstyne for any purpose relating to the District's powers and functions, including supplying water to them, and for operation of the district's water facilities; authorizing all public agencies and political subdivisions, including specifically the Cities of Anna and Van Alstyne, to contract with and convey land or any interest therein to the district; providing for the approval of bonds issued by the district by the Attorney General and registration of bonds by the Comptroller of Public Accounts of the State of Texas; prescribing other powers and duties of the district; providing a severability clause; and declaring an emergency.

H.B. 1067, A bill to be entitled An Act relating to the composition of The University of Texas System; confirming the authority of the Board of Regents of The University of Texas System to arrange the administration, organization, and names of the System institutions and entities in such way as will achieve their maximum operating efficiency; amending Subchapter A, Chapter 65, Texas Education Code, by adding a new Section 65.02, amending Section 65.11, Texas Education Code; providing that this Act shall be cumulative of all other existing laws; providing for severability; repealing all laws in conflict; and declaring an emergency.

H.B. 1068, A bill to be entitled An Act relating to the purposes of public community colleges; amending Section 130.003, Texas Education Code, as amended by adding Subsection (e); and declaring an emergency.

H.B. 1072, A bill to be entitled An Act relating to the issuance and deliverance of Certificates of Indebtedness for certain school building or refunding purposes; amending Section 1, Chapter 842, Acts of the 62nd Legislature, Regular Session, 1971 (Article 2784g-2, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1093, A bill to be entitled An Act relating to an additional tax for the common school district in La Salle County; and declaring an emergency.

H.B. 1153, A bill to be entitled An Act relating to the education of exceptional children in private schools; amending Subchapter Z, Chapter 21, Texas Education Code, by adding Section 21.913; and declaring an emergency.

H.B. 1159, A bill to be entitled An Act relating to abandoned mineral estates; declaring the policy and intent of the legislature and setting forth the purpose of the Act; defining terms; relating to prima facie evidence of abandonment of a fee estate in minerals by a person other than the owner of the surface and the vesting of title to abandoned mineral estates; providing for a suit for declaratory judgment to declare the fee estate abandoned; providing for the rebuttal of prima facie evidence by the recording of notice of nonabandonment of the interest claimed; specifying nonapplication of the Act; and declaring an emergency.

H.B. 1160, A bill to be entitled An Act relating to changing the name of Tarleton State College; amending Subchapter A, Chapter 87, Texas Education Code; and declaring an emergency.

H.B. 1165, A bill to be entitled An Act relating to tax exemptions for certain property of certain corporations providing homes for elderly persons or handicapped persons; amending Section 24, Article 7150, Revised Civil Statutes of Texas, 1925, as added by Section 3, Chapter 647, Acts of the 61st Legislature, Regular Session, 1969; and declaring an emergency.

H.B. 1184, A bill to be entitled An Act to amend Section 1 of Chapter 33, Acts of the 57th Legislature, Third Called Session, 1962 (as amended) so as to make such law applicable to cities having a population in excess of 40,000 according to the last preceding Federal Census; adding a new section to such chapter so as to regulate the acquisition and disposition of land or interest therein acquired under the Act; and declaring an emergency.

H.B. 1191, A bill to be entitled An Act amending Chapter 409, Acts of the 61st Legislature of the State of Texas, Regular Session, 1969, as amended by Chapter 202, Acts of the 62nd Legislature, Regular Session, 1971 to clarify the power to provide disposal systems, to enlarge and clarify the definition of the term "disposal system" to include all facilities acquired or constructed by the Authority to obtain, treat, transport, sell and deliver water to any person for whom the Authority provides waste treatment facilities or services and to permit the Authority to purchase or obtain water and treat, transport, sell and deliver water to any such person and enter into all contracts necessary or convenient in connection therewith; providing for a procedure for the dissolution of pollution control districts after annexation in whole or in part by municipal corporations and for the assumption of indebtedness and duties thereof by such annexing municipal corporation; providing a severability clause; and declaring an emergency.

H.B. 1216, A bill to be entitled An Act relating to the creation, establishment, maintenance, and operation of a college of podiatry; amending Chapter 74, Texas Education Code, by adding a new Subchapter J; providing for severability; and declaring an emergency.

H.B. 1217, A bill to be entitled An Act relating to a depository for certain hospital districts; amending Section 10, Chapter 266, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4494n, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1240, A bill to be entitled An Act amending Chapter 4, Acts of the 43rd Legislature, First Called Session, 1933 (Article 6243a, Vernon's Texas Civil Statutes), as amended, by amending Section 3 thereof to permit, under a plan authorized by Section 11B thereof, a fireman, policeman and fire alarm operator participating in the pension system to retire at age forty-five by increasing his percentage contribution, notwithstanding existing percentage limitations; and declaring an emergency.

H.B. 1281, A bill to be entitled An Act relating to the issuance of a State Parklands Passport to certain residents of this state who are 65 years of age or over; and providing certain rights to holders of passports; and declaring an emergency.

H.B. 1286, A bill to be entitled An Act relating to local fund assignments under the Foundation School Program for certain school districts in McLennan County; amending Subsection (b), Section 16.76, Texas Education Code; and declaring an emergency.

H.B. 1288, A bill to be entitled An Act adopting The Texas Animal Health Code, a general revision of the laws relating to animal health in the State of Texas and the powers and duties of the Texas Animal Health Commission; providing for penalties; repealing all laws or parts of laws in conflict herewith or replaced hereby; and declaring an emergency.

H.B. 1293, A bill to be entitled An Act amending and reenacting Chapter 279, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 5421z, Vernon's Texas Civil Statutes), relating to the state's trust responsibility respecting Texas Indians; repealing Chapter 277, Acts of the 60th Legislature, Regular Session, 1967 (Article 5421z-1, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1300, A bill to be entitled An Act requiring that the members of the Board of Trustees, the governing body of San Antonio Union Junior College District, be elected from single-member districts; and declaring an emergency.

H.B. 1324, A bill to be entitled An Act relating to service retirement allowances for certain members of the Employees Retirement System of Texas; amending Paragraph 3, Subsection A, Section 5, Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1363, A bill to be entitled An Act relating to certain reports, permits, and duties required by the State Department of Health regarding death; amending Sections 5, 6, 8, 9, 11, and 19, Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Article 4447, Vernon's Texas Civil Statutes), and Section 22, Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927 (Article 781a, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 1398, A bill to be entitled An Act relating to the jurisdiction of the district court and to trial by jury in probate matters; amending Sections 5 and 21, Texas Probate Code; making effectiveness of this Act contingent upon passage of a constitutional amendment; and declaring an emergency.

H.B. 1410, A bill to be entitled An Act relating to the 202nd District Court; amending Section 3.033, Subchapter C, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes), by amending Subsection (c) and adding Subsections (d), (e), and (f); and declaring an emergency.

H.B. 1477, A bill to be entitled An Act authorizing the Board of Regents of Pan American University to purchase certain property from the City of Brownsville; and declaring an emergency.

H.B. 1489, A bill to be entitled An Act relating to the creation of the County Court at Law No. 3 of Nueces County and conforming the jurisdiction of certain other courts thereto; and declaring an emergency.

H.B. 1491, A bill to be entitled An Act relating to the payment by cities and towns in certain circumstances of the costs of constant hospitalization for a peace officer or fireman who is injured while performing his duties and is permanently incapacitated for work and requires constant hospitalization; and declaring an emergency.

H.B. 1520, A bill to be entitled An Act relating to unlawful advertising concerning the practice of dentistry; amending Article 752a, Penal Code of Texas, 1925; and declaring an emergency.

H.B. 1582, A bill to be entitled An Act creating Muenster Water District as a conservation district, under Article 16, Section 59 of the Texas Constitution, comprising the territory contained in the City of Muenster, Cooke County, Texas, as the boundaries of said city existed on the 1st day of January, 1973, for the purpose of providing a source of water supply for municipal, domestic, commercial, and industrial use, and diverting, impounding, storing, treating, and transporting the same, and acquiring, constructing, and operating water facilities; providing for confirmation election; providing for the exercise of powers granted by Chapter 25 of the Texas Water Code to districts created under Article XVI, Section 59 of the Texas Constitution; providing for a board of directors for the government of said district; providing the means of annexing additional territory to said district; authorizing the district to obtain permits from the Texas Water Rights Commission and from owners of permits; authorizing the district to acquire any interest in land for its purposes by condemnation; providing that any construction contract in excess of \$5,000 should be made only after publication of notice; authorizing the district to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable either from ad valorem taxes or revenues, or a combination of ad valorem taxes and revenues; authorizing the issuance of refunding bonds; authorizing the execution of trust indentures or deeds of trust to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable wholly or partly from ad valorem taxes; authorizing the district to enter into contracts with public agencies, political subdivisions, and others, including specifically the City of Muenster, for any purpose relating to the district's power and functions, including supplying water to them, and for operation of the district's water facilities; authorizing all public agencies and political subdivisions, including specifically the City of Muenster, to contract with and convey land or any interest therein to the district; providing for the approval of bonds issued by the district by the Attorney General and registration of bonds by the Comptroller of Public Accounts of the State of Texas; supervision by the Texas Water Rights Commission; prescribing other powers and duties of the district; providing a severability clause; and declaring an emergency.

H.B. 1592, A bill to be entitled An Act relating to including Concho County within the 119th Judicial District; amending Section 5, Chapter 367, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 199(119), Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1596, A bill to be entitled An Act to create and establish the Lannius Municipal Utility District, Fannin County, Texas, under Article XVI, Section 59 of the Constitution of Texas; prescribing the powers of the District and its governing body; making certain findings in connection therewith; providing a severance clause; and declaring an emergency.

H.B. 1615, A bill to be entitled An Act creating and establishing, without consent of political subdivisions, a conservation and reclamation district under Article XVI, Section 59, of the Texas Constitution, to be known as "Bevil Oaks Municipal Utility District," and declaring the district a governmental agency and body politic and corporate; finding the boundaries form a

closure, and related matters; finding that confirmation election is not required; finding that no exclusion hearing is required; defining the boundaries; conferring on district the rights, powers, privileges, authority, and functions of the general laws of Texas applicable to municipal utility districts created under Chapter 54, Water Code, where not in conflict with the Act, and adopting same by reference; naming the first directors and providing for filling of vacancies; providing for terms and elections of directors, and related matters; finding and declaring that the requirements of Article XVI, Section 59(d), of the Texas Constitution, have been performed and accomplished; enacting other provisions relating to the above mentioned subjects; providing a severability clause; and declaring an emergency.

H.B. 1618, A bill to be entitled An Act relating to the composition and other provisions of the 6th Judicial District; amending Subdivision 6, Article 199, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

H.B. 1622, A bill to be entitled An Act authorizing the Texas Board of Corrections to convey a certain state-owned tract of land in Brazoria County in exchange for certain land in Anderson County; and declaring an emergency.

H.B. 1629, A bill to be entitled An Act validating proceedings relating to the creation and establishment of the Polk County Fresh Water Supply District No. 1 (Oak Terrace Estates); prescribing additional powers for the districts; providing a plan of taxation (benefit plan); prescribing procedures for benefit plan taxation; permitting a change of such tax plan; providing terms for the board of supervisors; making certain findings; and declaring an emergency.

H.B. 1633, A bill to be entitled An Act relating to the definition of "Optional Retirement Program" amending paragraph (6) of Section 51.352 of Subchapter G of Chapter 51, Title 3, Texas Education Code (Acts of the Sixty-first Legislature as amended) concerning definitions to be given the words "Optional Retirement Program" when used in conjunction with the Optional Retirement System in the public institutions of higher education in the State of Texas, and adding a Termination of Participation provision to the Optional Retirement System of Section 51.358 of Subchapter G of Chapter 51, Title 3, Texas Education Code (Acts of the Sixty-first Legislature as amended) providing for severability; and declaring an emergency.

H.B. 1634, A bill to be entitled An Act relating to the authority of the Adjutant General to accept and expend funds from federal and state agencies and political subdivisions; amending Article 5781, Revised Civil Statutes of Texas, 1925, as amended, by adding a Section 15; and declaring an emergency.

H.B. 1639, A bill to be entitled An Act relating to costs for adoption investigation services in a probation department; and declaring an emergency.

H.B. 1641, A bill to be entitled An Act relating to the issuance of time warrants by the Bonham Independent School District; and declaring an emergency.

H.B. 1642, A bill to be entitled An Act relating to the power of certain cities to construct, acquire, improve, and operate farmers' markets and to finance them through the issuance of revenue bonds; and declaring an emergency.

H.B. 1645, A bill to be entitled An Act relating to the salaries of commissioners and elections held in the Orange County Navigation and Port District; amending Sections 10 and 17, Chapter 370, Acts of the 53rd Legislature, Regular Session, 1953, as amended; and declaring an emergency.

H.B. 1657, A bill to be entitled An Act amending Section 85.66, Subchapter D, Texas Education Code, by adding a new subsection (d) to require a provision in oil, gas, and mineral leases covering lands under the supervision and control of the Board of Directors of the Texas A and M University System that allows the Board, at its discretion, to take royalty payments in kind; providing for severability; and declaring an emergency.

H.B. 1665, A bill to be entitled An Act relating to compensation of certain officers in Tarrant County; amending Section 2, Chapter 697, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 3883i-1, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1667, A bill to be entitled An Act authorizing the governing body of any hospital district established under authority of the Constitution of Texas or any hospital authority created as provided in the Hospital Authority Act or the County Hospital Authority Act, to lease to any person any hospital, or part thereof, owned by said hospital district or hospital authority, to be operated as a hospital by the lessee under such terms and conditions as may be satisfactory to the governing body and the lessee; authorizing any such governing body to enter into an agreement with any person for the management and/or operation of any hospital, or part thereof, owned by said hospital district or hospital authority under such terms and conditions as may be satisfactory to the governing body and the other contracting party or parties; defining the word person; providing for the authorization and execution of the lease or agreement; and declaring an emergency.

H.B. 1676, A bill to be entitled An Act designating Texas Southern University as a special purpose institution of higher education for urban programming; amending Subchapter A, Chapter 106, Texas Education Code, by adding Section 106.02; and declaring an emergency.

H.B. 1677, A bill to be entitled An Act relating to changing the name of the board of directors of Texas Southern University; amending Section 106.11, Subchapter B, Chapter 106, Texas Education Code; and declaring an emergency.

H.B. 1680, A bill to be entitled An Act authorizing the Board of Regents of the State Senior Colleges of Texas to convey a certain tract of state-owned land on the campus of Southwest Texas State University as part of the purchase price for a certain tract of land to be conveyed by the Campus Christian Community, a corporation, to the State of Texas for the use and benefit of Southwest Texas State University; and declaring an emergency.

H.B. 1681, A bill to be entitled An Act relating to the officers' salary fund and the general fund in certain counties; amending Section 4, Chapter 465, Acts of the 44th Legislature, 2nd Called Session, 1935, as amended (Article 3912e, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 1683, A bill to be entitled An Act abolishing the office of county auditor of Culberson County; providing for an annual audit; and declaring an emergency.

H.B. 1689, A bill to be entitled An Act relating to absentee voting in elections; amending Subdivisions 1, 2, and 3b, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code), to add provisions permitting voters confined in jail to vote absentee; also deleting or revising obsolete provisions; and declaring an emergency.

H.B. 1694, A bill to be entitled An Act relating to the creation, establishment, administration, financing, duties, powers, authority, expansion, and operation of the North East Texas Solid Waste Management Authority; and

declaring an emergency.

H.J.R. 5, Proposing an amendment to Article XVI, of the Texas Constitution, as amended, by adding a new Section 67 to provide that all persons attain majority at the age of 18 years and thereafter have rights, privileges, and obligations of an adult with exceptions.

H.C.R. 87, Requesting that a monument be erected on the Capitol grounds in honor of all Texans who have served in the Korean War, and in Vietnam and Southeast Asia.

H.C.R. 98, Creating the election code revision committee.

H.C.R. 101, Requesting commissioner of General Land Office to survey Canadian River banks along boundaries of state-owned land.

H.C.R. 128, Recognizing the celebration of Texas Maritime Day on May 22, 1973.

H.C.R. 147, Requesting N.A.S.A. to award Space Shuttle contract to Texas manufacturers.

H.C.R. 182, Directing and authorizing the American Revolution Bicentennial Commission (of Texas) to establish a "Texas Folklorico" stage production as the State of Texas' offering during our nation's bicentennial celebration.

H.C.R. 187, In memory of Samuel W. Hudson, Sr.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

MESSAGES FROM GOVERNOR

The following Messages from the Governor were read and referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas
May 14, 1973

TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE DIRECTOR OF THE DIVISION OF STATE-FEDERAL RELATIONS:

For a term at the pleasure of the Governor:
Mr. Alan Russell Erwin of Beaumont, Jefferson County.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

Austin, Texas
May 14, 1973

TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR

SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE A MEMBER OF THE STATE DEPOSITORY BOARD:

For a two-year term to expire August 22, 1973:

Mr. Bolin Mahaffey of Corpus Christi, Nueces County, to replace Mr. Wallace Scott of Austin, Travis County, who resigned.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

SENATE BILL 685 WITH HOUSE AMENDMENT

Senator Creighton called S.B. 685 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 685, House First Printing, on Page 1, by underscoring the figure "25,000" on line 15.

The House amendment was read.

Senator Creighton moved to concur in House amendment.

The motion prevailed.

SENATE BILL 352 WITH HOUSE AMENDMENT

Senator Mauzy called S.B. 352 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

FLOOR AMENDMENT NO. 1

Amend S.B. 352 by adding a new Section 7 and renumbering the existing sections accordingly. The new Section 7 shall read as follows:

Section 7. Subsection (a) of Section 3.38 of the Texas Education Code is amended to read as follows:

"(a) Except as provided in this section, nothing in this chapter is intended to affect benefits allowed prior to May 31, 1971, by reason of retirement or death, prior to such date, of a member of the system."

The House amendment was read.

Senator Mauzy moved to concur in House amendment.

The motion prevailed.

SENATE BILL 159 WITH HOUSE AMENDMENTS

Senator Wolff called S.B. 159 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

AMENDMENT NO. 1

Amend S.B. 159 as follows:

(1) Strike all of Section 11 of the bill and substitute the following:

Sec. 11. The County Courts at Law Numbers 4 and 5 of Bexar County, Texas, are created effective January 1, 1975. At the general election in 1974 and every four years thereafter, the judge of the County Court at Law Number 4 of Bexar County, Texas, and the judge of the County Court at Law Number 5 of Bexar County, Texas, shall be elected for a regular four-year term as provided in Article V, Section 30, and Article XVI, Section 65, of the Texas Constitution. Any vacancy in the office of the judge of the County Court at Law Number 4 of Bexar County, Texas, or in the office of the judge of the County Court at Law Number 5 of Bexar County, Texas, shall be filled by appointment made by the Commissioners Court of Bexar County, and the judge so appointed shall serve until January 1 following the next general election and until his successor shall be duly elected and qualified.

(2) Strike all of Section 16 of the bill and substitute the following:

Sec. 16. Chapter 114, Acts of the 58th Legislature, 1963 (Article 1970-3011, Vernon's Texas Civil Statutes), is amended by adding Section 1a and amending Sections 2, 3, 4, 5, 9, 10, 13, and 15 to read as follows:

"Section 1a. The County Civil Court at Law of Bexar County, Texas shall be known hereafter as the 'County Court at Law No. 6, of Bexar County, Texas,' and the seal of the court shall be the same as now provided by law except that the seal shall contain the words 'County Court at Law No. 6, of Bexar County, Texas.' Wherever the name 'County Civil Court at Law of Bexar County, Texas' appears in this Act, it shall hereafter be understood to mean 'County Court at Law No. 6, of Bexar County, Texas.'

"Section 2. The County Civil Court at Law of Bexar County, Texas, shall have the same jurisdiction, powers, and duties, and concurrent jurisdiction, powers, and duties in all civil and criminal actions, proceedings, and matters, original and appellate, over which by the constitution and general laws of this state the County Courts at Law Numbers 1, 2, and 3 of Bexar County have jurisdiction, and have concurrent jurisdiction with the district courts when the matter in controversy exceeds \$500 and does not exceed \$5,000, exclusive of interest, as provided in Chapter 915, Acts of the 62nd Legislature, Regular Session, 1971 (Article 1970a, Vernon's Texas Civil Statutes).

"Section 3. The County Court of Bexar County, Texas, and the County Civil Court at Law of Bexar County, Texas, shall have and exercise concurrent jurisdiction, powers, and duties in matters probate, and each shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis, and common drunkards; grant letters testamentary and of administration, settle accounts of executors, administrators and guardians, transact all business appertaining to deceased persons, and to hear and determine all matters affecting minors, idiots, lunatics, persons non compos mentis, and common drunkards, including the settlement, partition and distribution of estates of deceased persons, and to apprentice minors. The County Court of Bexar County, Texas, shall hear and determine all matters affecting juvenile offenders as now provided by law and shall have jurisdiction to hear and determine all matters relating to or arising out of the granting or revoking of liquor licenses. The County Judge of Bexar County shall be the Judge of the County Court of Bexar County, and shall be the presiding officer of the Commissioners Court; all ex officio duties of the County Judge shall be exercised by the said Judge of the County Court of Bexar County, except insofar as the same shall, by this Act, or

otherwise by law, have been committed to the Judge of the County Civil Court at Law of Bexar County, Texas. The County Court of Bexar County, Texas, and the Judge thereof shall have and retain the same jurisdiction, powers, duties, fees and prerequisites of office as are conferred on said County Court of Bexar County, Texas, or the Judge thereof, at and before the passage and taking effect of this Act, and this Act shall in no wise affect the said County Court or the Judge thereof except as provided herein.

"Section 4. From and after the passage and taking effect of this Act, civil and criminal actions, matters, and proceedings may be filed in the County Civil Court at Law of Bexar County, Texas, in the same manner and under the same conditions, circumstances, and instances as now obtain for the filing of actions, matters, and proceedings, civil and criminal, in the County Courts at Law Numbers 1, 2, and 3 of Bexar County, and all such actions, matters, and proceedings shall be docketed in the order in the court in which filed, or in such manner as may be determined by a majority of the judges of the said county courts at law, the judge of the County Civil Court of Bexar County, Texas, and the County Judge of Bexar County, Texas.

"Section 5. From and after the passage and taking effect of this Act, probate matters and proceedings may be filed in said County Civil Court at Law of Bexar County, Texas, in the same manner and under the same circumstances and conditions as now obtain for the filing of such matters and proceedings in the County Court of Bexar County, Texas, or with the county judge, and all such matters and proceedings shall be docketed in the order in which filed in said court, or in such other manner as may be determined by the judge of the County Civil Court at Law of Bexar County, Texas, and the County Judge of Bexar County, Texas.

"Section 9. The Clerk of the said County Civil Court at Law of Bexar County, Texas, shall keep a separate docket for said County Civil Court at Law of Bexar County, Texas, the same as is now or may be provided by law for keeping of dockets for the County Courts at Law of Bexar County, Texas; he shall tax the Official Court Reporter's fee as costs in civil actions in said County Civil Court at Law of Bexar County, Texas, in like manner as said fee is taxed in civil cases in the district courts of this State. The Judges of the County Courts at Law, the County Judge, the Judge of the County Civil Court at Law of Bexar County, Texas, and each of them may with the consent of the Judge of the court to which transfer is made, transfer civil or criminal actions, matters and proceedings from his respective court to any one of the other courts by the entry of an order to the effect upon docket of such court, provided both courts have concurrent jurisdiction of any such actions, matters and proceedings; and the Judge of the court to which any such action, matter or proceeding shall have been transferred shall have jurisdiction to hear and determine said matter or matters and render and enter the necessary and proper orders, decrees and judgments therein in the same manner and with the same force and effect as if such case, action, matter or proceeding had been originally filed in said court to which transferred. Provided, however, that no cause, action, matter, case or proceeding shall be transferred without the consent of the judge of the court to which transferred.

"Section 10. The Judge of the County Civil Court at Law of Bexar County, Texas, and the County Judge of the County Court of Bexar County, Texas, and the Judges of the County Courts at Law of Bexar County, may, at any time, exchange benches with each other, and may at any time, sit and act for each other in any civil or criminal case, proceeding or matter now, or hereafter, pending in any of said County Courts of Bexar County, Texas; and any and all such acts thus performed by the Judge of the County Civil Court at Law of Bexar County, Texas, and/or by the County Judge of Bexar County Court, and/or by either of the Judges of County Courts at Law of Bexar County, Texas, shall be valid and binding upon all parties to such cases, proceedings and matters."

"Section 13. The practice in said County Civil Court at Law of Bexar County, Texas, shall be the same as prescribed by law relating to County Courts and County Courts at Law. Appeals and writs of error may be taken from

judgments and orders of said County Civil Court at Law of Bexar County, Texas, and from judgments and orders of the Judge thereof in civil and criminal cases, and in the same manner as now is, or may hereafter be, prescribed by law relating to appeals and writs of error from judgments and orders of the County Courts and County Courts at Law throughout this State, and the respective judges thereof, in similar cases, and appeals may also be taken from interlocutory orders of said County Civil Court at Law of Bexar County, Texas, appointing a receiver, and also from orders of said County Civil Court at Law of Bexar County, Texas, overruling a motion to vacate an order appointing a receiver; provided, however, that the procedure and manner in which such appeals from interlocutory orders are taken shall be governed by the laws relating to appeals from similar orders of the District Courts throughout this State."

"Section 15. The judge of the County Civil Court at Law of Bexar County, Texas, may appoint an administrative assistant or assistants to aid him in the performance of his duties in matters probate. The salary of said administrative assistant or assistants shall be set by the Commissioners Court of Bexar County to be paid out of the General Fund of Bexar County, Texas, by warrants drawn on the County Treasurer of said County upon orders of the Commissioners Court of Bexar County."

AMENDMENT NO. 2

Amend S.B. 159 by adding a new section after line 9, page 18 as follows:

"Sec. 16. The County Court at Law Number 6 of Bexar County, Texas, shall hold six terms of court each year, commencing on the first Monday in January, March, May, July, September, and November of each year and each term shall continue until the business of said court shall have been disposed of; provided, however, that no term of said court shall continue beyond the date fixed for the commencement of its new term, except upon an order entered on its minutes during the term extending the term for any particular causes therein specified.

"For the purpose of disposing of the business of said County Court at Law Number 6 of Bexar County, Texas, there shall be appointed by the Criminal District Attorney of Bexar County, Texas, in addition to the assistants now provided by law, one assistant for said county court at law for the purpose of conducting the duties of his office in said court. Said assistant shall be paid the same salary as is now, or may be hereafter, paid to the assistants serving in County Courts at Law Numbers 1, 2, 3, 4, and 5 of Bexar County, the same to be paid in equal monthly installments, by said county, upon warrants drawn against the General Fund by orders of the commissioners court." and renumbering all subsequent sections accordingly.

The House amendments were read.

Senator Wolff moved to concur in House amendments.

The motion prevailed.

SENATE BILL 749 WITH HOUSE AMENDMENTS

Senator Kothmann called S.B. 749 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

COMMITTEE AMENDMENT NO. 1

Section 1 of S.B. 749 is hereby amended to read as follows:

Section 1. Section 7, Article 1, Municipal Annexation Act (Article 970a, Vernon's Texas Statutes) is amended by adding a new Subsection B-1 to read as follows:

"B-1. (a) No home-rule or general law city may annex any area, whether publicly or privately owned, unless the width of such area at its narrowest point is at least 500 feet.

"(b) Land on an island bordering on the Gulf of Mexico which is not accessible by public road or common carrier ferry facility may not be annexed by a city, town or village, including a home rule city, without the consent of the owner or owners of such land and notwithstanding the provisions of Article 970(a), the extraterritorial jurisdiction of a city, town or village, including a home rule city, shall not extend to cover any such land on any such island without the consent of the owner or owners thereof. A city, town or village, including a home rule city, is also prohibited from taking property on any such island by exercising its power of condemnation or eminent domain.

"(c) All annexation proceedings initiated for the purpose of including the site of a State institution or facility within a city are hereby and in all respects validated as of the date of such proceedings."

COMMITTEE AMENDMENT NO. 2

Amend S.B. 749 by adding thereto a new Section 3 in lieu of the present Section 3 and renumbering the present Section 3 to Section 5, said new Section 3 to be added immediately following Section 2 of S.B. 749, said new Section 3 to read as follows:

"Section 3. All laws or parts of laws in conflict with any of the provisions of this act are repealed to the extent of such conflict."

COMMITTEE AMENDMENT NO. 3

Amend the caption of S.B. 749 by striking all above the enacting clause and substituting in lieu thereof the following:

"A BILL

TO BE ENTITLED

An Act relating to extraterritorial jurisdiction, eminent domain, annexation powers of cities; amending Section 7, Article 1, Municipal Annexation Act (Article 970a, Vernon's Texas Civil Statutes); repealing laws in conflict; and declaring an emergency."

The House amendments were read.

Senator Kothmann moved to concur in House amendments.

The motion prevailed.

SENATE BILL 261 WITH HOUSE AMENDMENT

Senator Hightower called S.B. 261 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 261, Section 5(d), Line 9, Page 13 by adding, after the word "officers", the following language:

"provided such officers meet the Texas Law Officers minimum certificate requirements,".

The House amendment was read.

Senator Hightower moved to concur in House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Clower.

SENATE BILL 558 ON THIRD READING

Senator Brooks asked unanimous consent to suspend the regular order of business and take up S.B. 558 for consideration at this time.

There was objection.

Senator Brooks then moved to suspend the regular order of business and take up S.B. 558 for consideration at this time.

The motion prevailed by the following vote: Yeas 22, Nays 8.

Yeas: Adams, Andujar, Braecklein, Brooks, Gammage, Harrington, Herring, Hightower, Kothmann, Longoria, Mauzy, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Aikin, Blanchard, Creighton, Harris, Jones, McKinnon, Mengden and Moore.

Absent-excused: Clower.

The President laid before the Senate on its third reading and final passage:

S.B. 558, A bill to be entitled An Act amending statutes to provide for a permanent agency to be entitled the Human Relations Commission; and declaring an emergency.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

Yeas: Adams, Andujar, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Aikin, Blanchard, Creighton, Harris, Jones, Mengden and Moore.

SENATE BILL 295 WITH HOUSE AMENDMENTS

Senator McKnight called S.B. 295 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

COMMITTEE AMENDMENT NO. 1

Amend S.B. 295, First Printing, Page 1, Line 7 by adding after the words "Collin County," and before the words "Deaf Smith County," the following words:

"Crosby County,".

AMENDMENT NO. 1

Amend S.B. 295 by adding the words "Freestone County," between the words "Denton County," and "Randall County," where they appear in Section 1 of the bill.

AMENDMENT NO. 2

Amend S.B. 295, Second Printing, by adding the words "Harrison County" and "Rusk County" between the words "County," and "and" on Line 10, Page 2.

AMENDMENT NO. 3

Amend S.B. 295 by inserting in Section 1 immediately before "Collin County" the following:

"Van Zandt County, Wood County,".

The House amendments were read.

Senator McKnight moved to concur in House amendments.

The motion prevailed.

SENATE BILL 883 ON SECOND READING

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up S.B. 883 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up S.B. 883 for consideration at this time.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Mauzy, Moore and Patman.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 883, A bill to be entitled An Act relating to the disclosure of state-regulated business interests by certain appointed state officers and the executive heads of certain state agencies; and declaring an emergency.

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 883 by adding Section 1A, to read as follows:

"Section 1A. DECLARATION OF POLICY. It is the policy of the State of Texas that no person occupying a public office or civil position of trust under the state shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest. To implement this policy and to strengthen the faith and confidence of the people of Texas in their government, there are provided standards of conduct and disclosure requirements to be observed by persons owing a responsibility to the people of Texas in the performance of their official duties. It is the intent of the legislature that this Act shall serve not only as a guide for official conduct of these officers and employees but also as a basis for discipline of those who refuse to abide by its terms."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Adams, Braecklein, Brooks, Clower, Gammage, Harrington, Kothmann, Mauzy, Patman, Snelson, Wallace and Wolff.

Nays: Aikin, Andujar, Blanchard, Creighton, Harris, Herring, Hightower, Jones, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman and Traeger.

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 883, by striking Section 2 and substituting the following:

"Sec. 2. FINANCIAL STATEMENT. (1) Every state and local employee holding a public office or civil position of trust and receiving an annual salary of \$12,000 or more for the performance of his duties as an employee and every state and local officer is required to file an annual financial statement with the Secretary of State within 30 days after the date he takes office or commences employment and on or before the last Friday of April of each year thereafter.

"(2) Every judicial employee holding a public office or civil position of trust and receiving an annual salary of \$12,000 or more for the performance of his duties as an employee and every judicial officer is required to file an annual financial statement with the Judicial Qualification Commission within 30 days after the date he takes office or commences employment and on or before the last Friday of April each year thereafter.

"(3) Every candidate for an elected state, local or judicial office shall within 15 days after the filing deadline file a financial statement with the Secretary of State or Judicial Qualification Commission.

"(4) Every state officer who is required by the Constitution or by Statute to be nominated by the Governor and confirmed by the Senate must file a

financial statement not less than 7 days prior to consideration of said nomination by the Senate.

"(5) The financial statement shall include a complete account of the financial activity of all the persons required to file the statement and that of his spouse and dependent children over which he had actual control for the preceding calendar year, and shall require the following information:

"FINANCIAL STATEMENT

Date:-----

Reporting Period: January 1, 19---, to December 31, 19---

Name:-----

Address (Home):-----

Office or position held in:-----

Spouse's Name:-----

Names of dependent children:-----

"This statement includes the financial activity of myself, and that of my spouse, and my dependent children, if any, for the preceding calendar year.

"(a) List of all sources of occupational income, identified by employer, or if I am self-employed, by the nature of my occupation, including identification of any person, business entity, or other organization from whom I or a business in which I have a substantial interest received a fee as a retainer for a claim on future services in case of need and not received for services on a matter specified at the time of receiving the fee, and the amount of each fee:-----

"(b) Identification by name and the number of shares of stock held, acquired or sold and the amount of net gain or loss realized from any sale of any stock:-----

"(c) A listing of all bonds, notes, and other commercial paper held, acquired, or sold, and the amount of net gain or loss realized from any sale of such paper (commercial paper shall not include drafts or checks):-----

"(d) Identification of the source and the amount of all income in excess of \$250 derived from interest, dividends, royalties and rents:-----

"(e) Identification by description of all beneficial interests in real property or business entities held, acquired, or sold and the amount of the net gain or loss realized from the sale of any interests:-----

"(f) Identification of any person or financial institution to whom a personal note for a financial liability in excess of \$500 was created and the amount of each liability:-----

"(g) Identification of any person, business entity, or other organization from whom I or my spouse or dependent children received a gift of money or property in excess of \$50 in value or a series of gifts of money or property, the total of which exceeds \$50 in value received from the same source, and a description of each gift, except gifts received from persons related to me within the second degree of consanguinity or affinity and campaign contributions which were reported pursuant to Chapter 14, Texas Election Code:-----

"(h) Identification of the source and the amount of all income received as a beneficiary of a trust and identification of each asset, if known to the beneficiary, from which income is derived and the category of the amount of income derived from the asset:-----

"(i) Identification by description and category of the amount of all assets or liabilities of any corporation in which 50% or more of the outstanding stock is held, acquired or sold:-----

"(j) Identification of any business entity or organization with which I, my spouse, or dependent children have a substantial interest and which is licensed and regulated by any state agency. For the purpose of this section, the term "state agency" does not include the office of the Secretary of State or

the _____ Comptroller _____ of _____ Public
Accounts:-----

"(k) Identification of any honorarium received by me, or my spouse, for
any speech, presentation or appearance:-----

"(l) Attached hereto and incorporated as part of this financial statement
for all purposes is a true and correct copy of page 1 of my federal income tax
return, form 1040, and page 1 of my spouse's federal tax return, form 1040, if
any, for the tax year-----, 19--- to -----, 19---.

"THE STATE OF TEXAS,

"County of-----

"Before me,-----, a notary public in and for
-----County, Texas, on this day personally appeared
-----, who being by me here and now duly
sworn, upon oath or affirmation says that the information set out
above is true and correct.

Signature of affiant

"Subscribed and sworn to before me, by the said-----,
this----- day of -----, 19---, to certify which witness
my hand and seal of office.

"(Seal)

----- Notary public, in and for
-----County, Texas"

"(6) Within 15 days after the filing deadline for a candidate for an
office as an elected state, local, or judicial officer, a person who is a
candidate for an office as an elected officer shall file with the Secretary of
State the verified statement provided for in Subsection (5), Section 2 of this
Act.

"(7) Within 7 days after the filing deadline date for a candidate for a
state, local or judicial office, the secretary of state or Judicial
Qualifications Commission, as appropriate, shall notify each person who has
filed as a candidate for a position as an elected officer that he is required to
file a financial statement. If a candidate holds a position as a state, local,
or judicial officer and has filed a financial statement for the preceding
calendar he does not have to file a duplicate financial statement."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were
demanded.

The amendment failed of adoption by the following vote: Yeas 10, Nays 21.

Yeas: Brooks, Clower, Gammage, Harrington, Kothmann, Longoria, Mauzy,
Patman, Snelson and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Braecklein, Creighton, Harris,
Herring, Hightower, Jones, McKinnon, McKnight, Meier, Mengden, Moore, Ogg,
Santiesteban, Schwartz, Sherman, Traeger and Wallace.

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 883 by adding the following section:

"Sec. 2A. STANDARDS OF CONDUCT. (1) No person who holds a public
office or position of trust should accept or solicit any gift, favor, or service
that would reasonably be expected to influence him in the discharge of his
official duties or that he knows or should know is being offered him with the
intent to influence his official conduct.

"(2) No person who holds a public office or civil position of trust should

accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by reason of his official position.

"(3) No person who holds a public office or civil position of trust should accept other employment or compensation which would reasonably be expected to impair his independence of judgment in the performance of his official duties.

"(4) No person who holds a public office or civil position of trust should make personal investments which might create a substantial conflict between his private interest and the public interest.

"(5) No officer or employee of a state agency should accept anything of value, including a promise of future employment or a favor or service, from a person who is licensed or who has a substantial interest in a business entity that is licensed by the state agency in which the officer or employee serves."

The amendment was read.

Senator Schwartz raised the Point of Order that the amendment was not germane to the subject of the bill.

The President sustained the Point of Order, stating that the subject of the bill relates to disclosure of business interest of public officials while the amendment by Senator Mauzy relates to standards of conduct of public officials.

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 883 by adding Section 2C as follows:

"Sec. 2C. VENUE; LIMITATION OF ACTIONS. (1) Any violation of this Act shall be prosecuted in either the county which is the residence of the defendant or Travis County, the choice of forum resting with the one who files the verified written complaint.

"(2) No complaint may be filed more than two years after the date of the alleged violation."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 9, Nays 22.

Yeas: Brooks, Clower, Gammage, Harrington, Kothmann, Mauzy, Patman, Snelson and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Braecklein, Creighton, Harris, Herring, Hightower, Jones, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Traeger and Wallace.

Question, Shall S.B. 883 be passed to engrossment?

RECESS

On motion of Senator Aikin the Senate at 1:07 o'clock p.m. took recess until 2:15 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:15 o'clock p.m. today.

SENATE BILL 832 WITH HOUSE AMENDMENT

Senator Aikin called S.B. 832 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

AMENDMENT NO. 1

Amend S.B. 832 by striking the figure "\$10,000" and substituting the figure "\$7,000".

The House amendment was read.

Senator Aikin moved to concur in House amendment.

The motion prevailed by the following vote: Yeas 26, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Bracklein, Brooks, Clower, Gammage, Harrington, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent: Creighton, Harris, McKinnon, Moore and Santiesteban.

SENATE BILL 883 ON SECOND READING

The Senate resumed consideration of the pending business, same being S.B. 883 on its second reading and passage to engrossment.

Question, Shall S.B. 883 be passed to engrossment?

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 883 by adding the following section:

"Sec. 4A. REGISTRATION. (1) Each officer and agency covered by the provisions of this Act shall furnish to the Secretary of State on or before March 1, 1974, and by each March 1 thereafter, or so often at lesser intervals as directed by the Secretary of State a list of its employees who in the opinion of the officer or agency occupy a civil position of trust, in order to implement the requirements of this Act.

"(2) The officer or agency must notify each person who holds a position classified as a civil position of trust therein."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 7, Nays 24.

Yeas: Clower, Gammage, Harrington, Longoria, Mauzy, Patman and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Bracklein, Brooks, Creighton, Harris, Herring, Hightower, Jones, Kothmann, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wallace.

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 883 by adding the following Section 2B:

"Sec. 2B. SANCTIONS: Any person required to file a disclosure statement under this Act who knowingly and willfully fails to file such statement is guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$1,000 or by confinement in the county jail for not more than six months, or both. However, in a prosecution for a failure to file under Section 2, it is a defense that the defendant did not receive notice as provided under this Act.

"(2) Any person who receives a private economic benefit in violation of this Act is liable to the state for an amount equal to the amount of economic benefit received in violation of the Act."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 10, Nays 21.

Yeas: Brooks, Clower, Gammage, Harrington, Jones, Kothmann, Patman, Snelson, Traeger and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Braecklein, Creighton, Harris, Herring, Hightower, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman and Wallace.

Senator Adams offered the following amendment to the bill:

Amend S.B. 883 by adding the following in Section 2, page 4, line 13 between the words "agency" and "shall":

"or who owns a substantial interest in a business entity doing business with any agency of the State of Texas".

The amendment was read and was adopted.

Senator Clower offered the following amendment to the bill:

Amend S.B. 883 by striking Sec. 1, (3), ii and renumbering the subsequent sections to conform.

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 9, Nays 22.

Yeas: Brooks, Clower, Gammage, Harrington, Kothmann, Mauzy, Patman, Wallace and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Braecklein, Creighton, Harris, Herring, Hightower, Jones, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson and Traeger.

On motion of Senator Schwartz and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Mauzy and Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 883 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 883 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Mauzy and Patman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Mauzy and Patman asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 872 WITH HOUSE AMENDMENT

Senator Traeger called S.B. 872 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

AMENDMENT NO. 1

Amend Senate Bill 872 by inserting the words "or mutual fund contracts" on line 11 between the words "contract" and "for".

The House amendment was read.

Senator Traeger moved to concur in House amendment.

The motion prevailed.

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL 206**

Senator Mauzy submitted the following Conference Committee Report:

Austin, Texas
May 7, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on House Bill 206 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MAUZY
CLOWER
BRAECKLEIN
WOLFF
On the part of the Senate

RAGSDALE
JOHNSON
REYNOLDS
GASTON
SEMOS
On the part of the House

The Conference Committee Report was read and was adopted.

RECORD OF VOTES

Senators Ogg, Mengden, Snelson and Harris asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

SENATE BILL ON FIRST READING

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Longoria:

S.B. 978, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, of the Texas Constitution, known as "San Simon Municipal Utility District of Cameron County, Texas," declaring district a governmental agency, body politic and corporate; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; defining the boundaries; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable to municipal utility districts created under Chapter 54, Water Code, where not in conflict with this Act, and adopting same by reference; naming the first directors of the district; providing for qualifications of directors and the filling of vacancies; providing for terms and elections of directors, and related matters; finding and declaring that the requirements of Article XVI, Section 59(d), of the Texas Constitution, have been performed and accomplished; enacting other provisions relating to the above-mentioned subjects; providing a severability clause; and declaring an emergency.

To Committee on Intergovernmental Relations.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 14, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill 206 by a Non-record vote.

The House has concurred in Senate amendments to House Bill 1135 by Non-record vote.

The House has concurred in Senate amendments to House Bill 1358 by Non-record vote.

The House has concurred in Senate amendments to House Bill 130 by vote of 97 Ayes, 28 Noes, with 15 Present-Not voting.

H.B. 482, A bill to be entitled An Act relating to the implementation of family planning services; and declaring an emergency.

Pursuant to the provisions of Senate Concurrent Resolution 106, by Brooks, the House is herein returning to the Senate House Bill 215.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

**COMMITTEE SUBSTITUTE HOUSE BILL 1
ON SECOND READING**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 1, A bill to be entitled An Act relating to the filing of public statements by certain state elected or appointed officers of the legislative, executive, and judicial branches, disclosing certain gifts and certain business and financial activities and interests of the officer; prohibiting certain acts; declaring the provisions severable; providing penalties; repealing Chapter 100, Acts of the 55th Legislature, Regular Session, 1957, as amended; and declaring an emergency.

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Amend C.S.H.B. 1 by striking Section 1 and substituting the following:

"Section 1. **DECLARATION OF POLICY.** It is the policy of the State of Texas that no person occupying a public office or civil position of trust under the state shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest. To implement this policy and to strengthen the faith and confidence of the people of Texas in their government, there are provided standards of conduct and disclosure requirements to be observed by persons owing a responsibility to the people of Texas in the performance of their official duties. It is the intent of the legislature that this Act shall serve not only as a guide for official conduct of these officers

and employees but also as a basis for discipline of those who refuse to abide by its terms."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 11, Nays 20.

Yeas: Braecklein, Brooks, Gammage, Harrington, Hightower, Kothmann, Longoria, Mauzy, McKinnon, Patman and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Clower, Creighton, Harris, Herring, Jones, McKnight, Meier, Mengden, Moore, Ogg, Santicsteban, Schwartz, Sherman, Snelson, Traeger and Wallace.

Senator Mauzy offered the following amendment to the bill:

Amend C.S.H.B. No. 1, by striking Section 2 and substituting the following:

"Sec. 2. FINANCIAL STATEMENT. (1) Every state and local employee holding a public office or civil position of trust and receiving an annual salary of \$12,000 or more for the performance of his duties as an employee and every state and local officer is required to file an annual financial statement with the Secretary of State within 30 days after the date he takes office or commences employment and on or before the last Friday of April of each year thereafter.

"(2) Every judicial employee holding a public office or civil position of trust and receiving an annual salary of \$12,000 or more for the performance of his duties as an employee and every judicial officer is required to file an annual financial statement with the Judicial Qualification Commission within 30 days after the date he takes office or commences employment and on or before the last Friday of April each year thereafter.

"(3) Every candidate for an elected state, local or judicial office shall within 15 days after the filing deadline file a financial statement with the Secretary of State or Judicial Qualification Commission.

"(4) Every state officer who is required by the Constitution or by Statute to be nominated by the Governor and confirmed by the Senate must file a financial statement not less than 7 days prior to consideration of said nomination by the Senate.

"(5) The financial statement shall include a complete account of the financial activity of all the persons required to file the statement and that of his spouse and dependent children over which he had actual control for the preceding calendar year, and shall require the following information:

"FINANCIAL STATEMENT

Date:-----

Reporting Period: January 1, 19---, to December 31, 19---

Name:-----

Address (Home):-----

Office or position held in:-----

Spouse's Name:-----

Names of dependent children:-----

"This statement includes the financial activity of myself, and that of my spouse, and my dependent children, if any, for the preceding calendar year.

"(a) List of all sources of occupational income, identified by employer, or if I am self-employed, by the nature of my occupation, including identification of any person, business entity, or other organization from whom I or a business in which I have a substantial interest received a fee as a retainer

for a claim on future services in case of need and not received for services on a matter specified at the time of receiving the fee, and the amount of each fee:-----.

"(b) Identification by name and the number of shares of stock held, acquired or sold and the amount of net gain or loss realized from any sale of any stock:-----.

"(c) A listing of all bonds, notes, and other commercial paper held, acquired, or sold, and the amount of net gain or loss realized from any sale of such paper (commercial paper shall not include drafts or checks):-----.

"(d) Identification of the source and the amount of all income in excess of \$250 derived from interest, dividends, royalties and rents:-----.

"(e) Identification by description of all beneficial interests in real property or business entities held, acquired, or sold and the amount of the net gain or loss realized from the sale of any interests:-----.

"(f) Identification of any person or financial institution to whom a personal note for a financial liability in excess of \$500 was created and the amount of each liability:-----.

"(g) Identification of any person, business entity, or other organization from whom I or my spouse or dependent children received a gift of money or property in excess of \$50 in value or a series of gifts of money or property, the total of which exceeds \$50 in value received from the same source, and a description of each gift, except gifts received from persons related to me within the second degree of consanguinity or affinity and campaign contributions which were reported pursuant to Chapter 14, Texas Election Code:-----.

"(h) Identification of the source and the amount of all income received as a beneficiary of a trust and identification of each asset, if known to the beneficiary, from which income is derived and the category of the amount of income derived from the asset:-----.

"(i) Identification by description and category of the amount of all assets or liabilities of any corporation in which 50% or more of the outstanding stock is held, acquired or sold:-----.

"(j) Identification of any business entity or organization with which I, my spouse, or dependent children have a substantial interest and which is licensed and regulated by any state agency. For the purpose of this section, the term 'state agency' does not include the office of the Secretary of State or the Comptroller of Public Accounts:-----.

"(k) Identification of any honorarium received by me, or my spouse, for any speech, presentation or appearance:-----.

"(l) Attached hereto and incorporated as part of this financial statement for all purposes is a true and correct copy of page 1 of my federal income tax return, form 1040, and page 1 of my spouse's federal tax return, form 1040, if any, for the tax year-----, 19---- to -----, 19----.

"THE STATE OF TEXAS,

"County of-----

"Before me,-----, a notary public in and for -----County, Texas, on this day personally appeared -----, who being by me here and now duly sworn, upon oath or affirmation says that the information set out above is true and correct.

Signature of affiant

"Subscribed and sworn to before me, by the said-----, this----- day of -----, 19----, to certify which witness my hand and seal of office.

"(Seal)

Notary public, in and for
-----County, Texas"

"(6) Within 15 days after the filing deadline for a candidate for an office as an elected state, local, or judicial officer, a person who is a candidate for an office as an elected officer shall file with the Secretary of State the verified statement provided for in Subsection (5), Section 2 of this Act.

"(7) Within 7 days after the filing deadline date for a candidate for a state, local or judicial office, the secretary of state or Judicial Qualifications Commission, as appropriate, shall notify each person who has filed as a candidate for a position as an elected officer that he is required to file a financial statement. If a candidate holds a position as a state, local, or judicial officer and has filed a financial statement for the preceding calendar year he does not have to file a duplicate financial statement."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 10, Nays 21.

Yeas: Brooks, Clower, Gammage, Harrington, Kothmann, Longoria, Mauzy, Patman, Snelson and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Braecklein, Creighton, Harris, Herring, Hightower, Jones, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Traeger and Wallace.

Senator Mauzy offered the following amendment to the bill:

Amend Section 3 of C.S.H.B. 1 by striking Subsection (2), renumbering Subsection (3) as Subsection (5), and inserting the following:

"(2) The Secretary of State or Judicial Qualifications Commission shall maintain the financial statements required to be filed in separate alphabetical files.

"(3) The financial statements shall be a matter of public record, and copies shall be available to the public. The actual cost of reproduction shall not be greater than 10 cents a page. No person may alter, remove, or destroy a financial statement except as otherwise provided.

"(4) The Secretary of State or Judicial Qualifications Commission may destroy any financial statement at any time after two years since the officer or employee ceases to be an officer or employee."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 8, Nays 23.

Yeas: Braecklein, Brooks, Clower, Gammage, Harrington, Kothmann, Mauzy and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Creighton, Harris, Herring, Hightower, Jones, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wallace.

Question, Shall C.S.H.B. 1 be passed to engrossment?

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House, were read the first time and referred to the Committee indicated:

H.B. 1694, To Committee on Administration.
H.B. 1689, To Committee on State Affairs.
H.B. 1677, To Committee on Education.
H.B. 1676, To Committee on Education.
H.B. 1657, To Committee on State Affairs.
H.B. 1634, To Committee on Finance.
H.B. 1615, To Committee on Intergovernmental Relations.
H.B. 1398, To Committee on Jurisprudence.
H.B. 83, To Committee on Education.
H.B. 259, To Committee on Intergovernmental Relations.
H.B. 700, To Committee on Human Resources.
H.B. 832, To Committee on Jurisprudence.
H.B. 935, To Committee on Natural Resources.
H.B. 1067, To Committee on Finance.
H.B. 1068, To Committee on Education.
H.B. 1153, To Committee on Education.
H.B. 1216, To Committee on Education.
H.B. 1281, To Committee on Human Resources.
H.B. 1191, To Committee on Intergovernmental Relations.
H.B. 476, To Committee on Administration.
H.B. 385, To Committee on Economic Development.
H.B. 405, To Committee on Education.
H.B. 482, To Committee on Human Resources.
H.B. 377, To Committee on Human Resources.
H.B. 296, To Committee on Administration.
H.B. 295, To Committee on Administration.
H.B. 155, To Committee on Education.
H.B. 138, To Committee on Administration.
H.B. 133, To Committee on Administration.
H.B. 107, To Committee on Finance.
H.B. 90, To Committee on State Affairs.
H.J.R. 5, To Committee on Human Resources.
H.B. 694, To Committee on Economic Development.
H.B. 967, To Committee on Administration.
H.B. 1582, To Committee on Administration.
H.B. 980, To Committee on State Affairs.
H.B. 891, To Committee on Education.
H.B. 1681, To Committee on Intergovernmental Relations.
H.B. 1622, To Committee on Administration.
H.B. 845, To Committee on Human Resources.
H.B. 806, To Committee on Administration.
H.B. 803, To Committee on Natural Resources.
H.B. 802, To Committee on Natural Resources.
H.B. 782, To Committee on Human Resources.
H.B. 780, To Committee on Natural Resources.
H.B. 729, To Committee on Education.
H.B. 618, To Committee on Natural Resources.
H.B. 602, To Committee on Administration.
H.B. 1217, To Committee on Administration.
H.B. 1491, To Committee on Intergovernmental Relations.
H.B. 1093, To Committee on Administration.
H.B. 1072, To Committee on Education.
H.B. 1057, To Committee on Administration.

H.B. 1048, To Committee on Education.
H.B. 1022, To Committee on Administration.
H.B. 857, To Committee on Administration.
H.B. 1159, To Committee on Natural Resources.
H.B. 1240, To Committee on Intergovernmental Relations.
H.B. 1592, To Committee on Administration.
H.B. 1184, To Committee on Intergovernmental Relations.
H.B. 1165, To Committee on Finance.
H.B. 1160, To Committee on Administration.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S.C.R. 34
S.B. 658
S.B. 678
S.B. 888
S.B. 961

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Tuesday, May 15, 1973

H.B. 264 - Senator Ogg
H.B. 370 - Senator Mauzy
C.S.H.B. 371 - Senator Mauzy
H.B. 441 - Senator Mauzy
C.S.S.R. 138 - Senator Adams
S.C.R. 91 - Senator Moore
S.B. 52 - Senator Mauzy
S.B. 53 - Senator Mauzy
S.B. 86 - Senator Brooks
S.B. 164 - Senator Adams
S.B. 201 - Senator Ogg
S.B. 227 - Senator Mauzy
S.B. 285 - Senator Mauzy
S.B. 385 - Senator Harris
C.S.S.B. 442 - Senator Mauzy
S.B. 516 - Senator Wallace
C.S.S.B. 536 - Senator Clower
S.B. 594 - Senator Mauzy
C.S.S.B. 639 - Senator Clower
C.S.S.B. 687 - Senator Mauzy
C.S.S.B. 712 - Senator Mauzy
S.B. 772 - Senator Ogg
C.S.S.B. 783 - Senator Ogg
S.B. 800 - Senator Mauzy
S.B. 804 - Senator Herring
C.S.S.B. 815 - Senator Mauzy
S.B. 852 - Senator Mauzy
S.B. 874 - Senator Mauzy
S.B. 966 - Senator Ogg
S.B. 967 - Senator Ogg
H.B. 167 - Senator Longoria
C.S.H.B. 264 - Senator Ogg

C.S.H.B. 339 - Senator Brooks
H.B. 569 - Senators Ogg and Brooks
H.B. 215 - Senator Brooks
C.S.S.B. 132 - Senator Brooks
S.B. 107 - Senator Wolff
C.S.S.B. 820 - Senator Wolff
C.S.S.B. 819 - Senator Wolff
S.B. 424 - Senator Snelson
H.B. 460 - Senator Santiesteban
H.B. 548 - Senator Santiesteban
S.B. 729 - Senator Santiesteban
S.B. 778 - Senator Gammage
C.S.S.B. 34 - Senator Santiesteban

MEMORIAL RESOLUTION

S.R. 757 - By Senator Snelson: Memorial resolution for Mrs. W.H. McGonagill.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 756 - By Senator Wolff: Extending congratulations to Frank "Pancho" Sepulveda.

S.R. 759 - By Senator Ogg: Extending welcome to Centro Hidalgo Juarez Senior Citizens Group, Houston.

RECESS

On motion of Senator Aikin the Senate at 3:59 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 14, 1973

S.J.R. 13
S.B. 122
S.B. 216
S.B. 384
S.C.R. 34
S.B. 678
S.B. 888
S.B. 961

SEVENTY-FOURTH DAY

(Continued)
(Tuesday, May 15, 1973)

After Recess